

Application Serial No. 10/713,808

RECEIVED
CENTRAL FAX CENTERPATENT
89212.0014

JAN 20 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dave S. B. HOON, et al.

Serial No: 10/713,808

Filed: November 14, 2003

For: DETECTION OF MICRO METASTASIS OF
MELANOMA AND BREAST CANCER IN
PARAFFIN-EMBEDDED TUMOR
DRAINING LYMPH NODES BY
MULTIMARKER QUANTITATIVE RT-PCR

Art Unit: 1642

Examiner: Sean E. Aeder

I hereby certify that this correspondence
is being transmitted via facsimile to
(571) 273-8300:Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 20, 2006

Date of Deposit

Rhonda Hunt

Name

Signature

01/20/2006

Date

**AMENDMENT AND RESPONSE TO
RESTRICTION/ELECTION REQUIREMENT**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action (Restriction/Election Requirement) dated October 20, 2005, the time for response to which is extended two months by the accompanying petition from November 20, 2005 to January 20, 2006, please amend the above-referenced application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Also, Applicants hereby elect with traverse Group I (claims 1, 2, and 4-13) for prosecution on the merits in the subject application, which claims are drawn to a method of detecting metastatic melanoma cells in a patient comprising amplifying nucleic acid targets, classified in class 435, subclass 6. In addition, Applicants elect with traverse the marker gene MART-1 from claim 2 for prosecution on the merits.

Page 1 of 11